

MINUTES

BOARD OF EXAMINATION AND REGISTRATION OF ARCHITECTS

DATE: June 14, 2010

PLACE: Department of Business Regulation (DBR)
1511 Pontiac Avenue, Bldg 68-1 Conference Room
Cranston, RI 02920

MEMBERS PRESENT: Chair David R. Prengaman, Secretary Christian J. Ladds, Member John K. Grosvenor and Member Wilbur E. Yoder

MEMBERS ABSENT: Vice-Chair Barbara Feibelman

OTHERS PRESENT: Louis A. DeQuattro, Jr., DBR Deputy Director
Brian J. Riggs, DBR, Administrator, Financial Management
Dawne Broadfield, Board Executive

CALLED TO ORDER: Chair Prengaman called the meeting to order at 1:10 p.m.
to commence Board business.

MINUTES OF THE MEETING OF THE BOARD

(1) Member Yoder moved to approve the open meeting minutes of May 10, 2010 as published. Secretary Ladds seconded. Motion

passed, 3-0, three (3) in favor, one (1) abstained and one (1) absent. Voting in favor were Chair David R. Prengaman, Secretary Christian J. Ladds and Member Wilbur E. Yoder. Member John K. Grosvenor abstained from this vote since he was not present at that meeting. Vice-Chair Feibelman was absent from this vote.

(2) Secretary Ladds moved to approve and seal the executive session meeting minutes of the May 10, 2010 as published. Member Yoder seconded. Motion passed, 3-0, three (3) in favor, one (1) abstained and one (1) absent. Voting in favor were Chair David R. Prengaman, Secretary Christian J. Ladds and Member Wilbur E. Yoder. Member John K. Grosvenor abstained from this vote since he was not present at that meeting. Vice-Chair Feibelman was absent from this vote.

EXECUTIVE SESSION

(1) Member Grosvenor moved to convene into executive session at 2:58 p.m. pursuant to RI General Laws, §42-46-5 (a)(2) for sessions or work sessions pertaining to collective bargaining or litigation and §42-46-5 (a)(4) for investigative proceedings regarding allegations of civil or criminal misconduct. Member Yoder seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Secretary Christian J. Ladds, Member John K. Grosvenor and Member Wilbur E. Yoder. Vice-Chair Barbara Feibelman was absent from this vote.

(2) Member Grosvenor moved to adjourn from executive session and to reconvene to an open meeting at 3:50 p.m. pursuant to R.I.G.L. §42-46-4. Member Yoder seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Secretary Christian J. Ladds, Member John K. Grosvenor and Member Wilbur E. Yoder. Vice-Chair Barbara Feibelman was absent from this vote.

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(3) Member Grosvenor moved to seal the executive session and record the votes taken in executive session pursuant to RI General Laws §42-46-4 and §42-46-5. Member Yoder seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Secretary Christian J. Ladds, Member John K. Grosvenor and Member Wilbur E. Yoder. Vice-Chair Barbara Feibelman was absent from this vote.

(4) Member Grosvenor moved to record the votes taken in executive session in accordance with RI General Laws §42-46-4 as follows: Votes were made to close the Continuing Education (CE) Verification Audit (Registrants Randomly Chosen) for the following registrants: Jeffrey R. Davis, Thomas J. DeLuca, Charles D. Harker and Glenn R. Gardiner. Member Yoder seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Secretary Christian J. Ladds, Member John K. Grosvenor and Member Wilbur E. Yoder. Vice-Chair Barbara Feibelman was absent from this vote.

(5) Member Grosvenor moved pursuant to RI General Law §42-46-4 that the Board defer disclosure of all votes in executive session until such time as such disclosure would not jeopardize any strategy, negotiation, or investigation undertaken concerning RI General Law §42-46-5(a). Member Yoder seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Secretary Christian J. Ladds, Member John K. Grosvenor and Member Wilbur E. Yoder. Vice-Chair Barbara Feibelman was absent from this vote.

(8) In Executive Session closed matters, the vote was 4 to 0 to close three (3) investigative matters, and the vote 3 to 0 to close one (1) investigative matter with one (1) Board member John Grosvenor recusing from the vote on the matter regarding Glenn R. Gardiner, Partner of Newport Collaborative. One (1) Board member was absent from all matters.

(9) In Executive Session pending matters, there are nine (9) pending matters, comprised of one (1) potential litigation-related matter, two (2) monitoring matters and six (6) investigative matters.

OLD BUSINESS

(1) Development of a Record Retention Schedule for the Division of

Design Professionals

This is a work in progress with the Rhode Island Secretary of State. Secretary Ladds moved to continue. Member Grosvenor seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Secretary Christian J. Ladds, Member John K. Grosvenor and Member Wilbur E. Yoder. Vice-Chair Barbara Feibelman was absent from this vote.

(2) Future Law Changes Governing “Architects”

- (2010-S-2476 and 2010-H-7693) Technical Amendments to RI General Laws Chap. 5-1**

Secretary Ladds moved to continue to monitor. Member Grosvenor seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Secretary Christian J. Ladds, Member John K. Grosvenor and Member Wilbur E. Yoder. Vice-Chair Barbara Feibelman was absent from this vote.

- (2010-S-2464SubA and 2010-H-7691) Unregistered Activity – Division of Design Professionals Penalties.**

Secretary Ladds moved to continue to monitor. Member Grosvenor seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Secretary Christian J. Ladds, Member John K. Grosvenor and Member Wilbur E. Yoder.

Vice-Chair Barbara Feibelman was absent from this vote.

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(3) Report of the Annual Spring 2010 Meeting with the Building Officials and the State Building Code Commissioner

Member Yoder moved to continue for Secretary Ladds to follow up for rescheduling. Member Grosvenor seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Secretary Christian J. Ladds, Member John K. Grosvenor and Member Wilbur E. Yoder. Vice-Chair Barbara Feibelman was absent from this vote.

(4) 2009 Individual Renewal Applications.

- Continuing Education Reporting Forms” were sent to 45 Architects (approximately 2.5%)**

Member Grosvenor moved to continue until the continuing education random audit is completed. Secretary Ladds seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Secretary Christian J. Ladds, Member

John K. Grosvenor and Member Wilbur E. Yoder. Vice-Chair Barbara Feibelman was absent from this vote.

(5) Review of “Form Letters” signed by the Board Secretary (Batch 9) (Responsible Control – Architect Notified Board – Left Company).

After review, Member Grosvenor moved to approve the following “Form Letter”: “Responsible Control – Architect Notified Board – Left Company.” Secretary Ladds seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Secretary Christian J. Ladds, Member John K. Grosvenor and Member Wilbur E. Yoder. Vice-Chair Barbara Feibelman was absent from this vote.

(6) Jeffrey Lykins, City of Providence, Question on the Use of Electronic Seal and Signature (Appearing before the Board for discussion at 1:15 p.m.).

Member Grosvenor moved to amend the Board’s Rules and Regulations to allow “electronic signature.” Secretary Ladds seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Secretary Christian J. Ladds, Member John K. Grosvenor and Member Wilbur E. Yoder. Vice-Chair Barbara Feibelman was absent from this vote.

BLUE BOOK (RECIPROCITY)

(A) Secretary Ladds moved to approve the following Blue Book as submitted with an expiration date of December 31, 2011. Member Grosvenor seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Secretary Christian J. Ladds, Member John K. Grosvenor and Member Wilbur E. Yoder. Vice-Chair Barbara Feibelman was absent from this vote.

(1) BLAKE, Gerald F.

(B) Member Grosvenor moved to approve the following Blue Book conditioned on the fact that the original letter that Mr. Skolski sent to his potential client matches what he reported on his application with an expiration date of December 31, 2011. Secretary Ladds seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Secretary Christian J. Ladds, Member John K. Grosvenor and Member Wilbur E. Yoder. Vice-Chair Barbara Feibelman was absent from this vote.

(1) SKOLSKI, Daniel M.

(C) Secretary Ladds moved to approve the following Blue Book after review of a Consent Order issued by the State of North Carolina with an expiration date of December 31, 2011. Member Yoder seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Secretary Christian J. Ladds,

Member John K. Grosvenor and Member Wilbur E. Yoder. Vice-Chair Barbara Feibelman was absent from this vote.

(1) GERDING, Daniel James

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(D) Member Grosvenor moved to approve the following Blue Book after review of a Violations Committee Statement issued by the State of New York with an expiration date of December 31, 2011. Secretary Ladds seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Secretary Christian J. Ladds, Member John K. Grosvenor and Member Wilbur E. Yoder. Vice-Chair Barbara Feibelman was absent from this vote.

(1) LOCKENBACH, Don A.

BLUE BOOK (REINSTATEMENT)

(A) Secretary Ladds moved to approve the reinstatement of the Blue Book as presented with an expiration date of December 31, 2011. Member Grosvenor seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Secretary Christian J. Ladds, Member John K. Grosvenor and Member Wilbur E. Yoder. Vice-Chair Barbara Feibelman was absent from this vote.

(1) JAGER, Stephen, #2061

CERTIFICATES OF AUTHORIZATION (COA) APPLICATIONS (See Attached Lists)

(A) Secretary Ladds moved to approve the application for the Certificate of Authorization for the Sole Proprietorship for Andrew G. Ellis, AIA, CSI as submitted. Member Yoder seconded. . Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Secretary Christian J. Ladds, Member John K. Grosvenor and Member Wilbur E. Yoder. Vice-Chair Barbara Feibelman was absent from this vote.

(B) Secretary Ladds moved to approve the applications for the Certificates of Authorization for the Limited Liability Companies for CBH Architect, The Design Initiative, Inc., ECO Architecture and Design Group LLC and EDG Architecture LLC as submitted. Member Yoder seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Secretary Christian J. Ladds, Member John K. Grosvenor and Member Wilbur E. Yoder. Vice-Chair Barbara Feibelman was absent from this vote.

(C) Secretary Ladds moved to approve the applications for the Certificates of Authorization for the Corporations for MSKTD & Associates, Inc. and Saltonstall Architects, Inc. as submitted.

Member Yoder seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Secretary Christian J. Ladds, Member John K. Grosvenor and Member Wilbur E. Yoder. Vice-Chair Barbara Feibelman was absent from this vote.

(D) Secretary Ladds moved to approve the Change in Responsible Control adding Aaron G. Persen for the application for Certificate of Authorization for the Corporation for DLR Group Inc., #A-14,411, as submitted. Member Yoder seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Secretary Christian J. Ladds, Member John K. Grosvenor and Member Wilbur E. Yoder. Vice-Chair Barbara Feibelman was absent from this vote.

(E) Secretary Ladds moved to approve the Change in Business Structure, lay-off included two (2) stockholders: Gregg W. Hudspeth and Tony C. Paladino for the application for Certificate of Authorization for the Corporation for Niles Bolton Associates, Inc., #A-14,288, as submitted. Member Yoder seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Secretary Christian J. Ladds, Member John K. Grosvenor and Member Wilbur E. Yoder. Vice-Chair Barbara Feibelman was absent from this vote.

(F) Secretary Ladds moved to approve the withdrawal of the

application for Certificate of Authorization for the Limited Liability Partnership for HCP Architects, LLP as submitted. Member Yoder seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Secretary Christian J. Ladds, Member John K. Grosvenor and Member Wilbur E. Yoder. Vice-Chair Barbara Feibelman was absent from this vote.

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NEW BUSINESS

(1) Discussion on one jurisdiction accepting the continuing education units (CEUs) of the resident state.

Secretary Ladds moved that the Board does not modify the existing language of its Rules and Regulations and close. Member Grosvenor seconded. After discussion, motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Secretary Christian J. Ladds, Member John K. Grosvenor and Member Wilbur E. Yoder. Vice-Chair Barbara Feibelman was absent from this vote.

(2) RI Ethics Commission – Notice of Withdrawal of General Commission Advisory: GCA No. 8 (Architect Members of State and Local Historic Preservation Commissions Appearing before their Respective Agencies)

After review and discussion of this change, the Board members had several questions and questioned what was driving this change. As a result of the questions, the Board telephoned Commission Staff Attorney Esme DeVault and asked several questions. It was noted that any comments are due to the RI Ethics Commission by close of business tomorrow, Tuesday, June 15, 2010 and the hearing has been rescheduled for June 22, 2010.

Based on the telephone conversation, Member Yoder moved that the Board not take any action on this. A Board member can proceed by contacting the American Institute of Architects/RI Chapter (AIA/ri) or the RI Ethics Commission as an individual and not as a Board member and close. Secretary Ladds seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Secretary Christian J. Ladds, Member John K. Grosvenor and Member Wilbur E. Yoder. Vice-Chair Barbara Feibelman was absent from this vote.

(3) Certificate of Authorization (COA) Renewal Application – Online Screenshots

Mrs. Broadfield used the screenshots from the Landscape Architect COA online renewal application and made changes to reflect the Architect statute. Those screenshots were submitted to RI.gov who in turn produced the first “draft” of the Architect COA online renewal application. The first “draft” was submitted to the Board for review.

After review, Mrs. Broadfield made several changes and the Board noted one change. It was also suggested that a link to a “graphic chart” explaining the Rhode Island General Laws requirement be added on that the Rhode Island General Laws screen.

Member Yoder moved to continue in order for Mrs. Broadfield to submit the changes to RI.gov for a “final draft” to be reviewed at the next meeting. Secretary Ladds seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Secretary Christian J. Ladds, Member John K. Grosvenor and Member Wilbur E. Yoder. Vice-Chair Barbara Feibelman was absent from this vote.

(4) Don Sansoucy, PE, Associate AIA (Request to Register a New Non-Profit Organization)

A request was received from Don Sansoucy requesting approval by this Board to use the name of The Architects and Engineers Emergency Response Task Force for his new non-profit organization.

Mr. Sansoucy indicated that this organization is structured in the same way as other professional organizations such as AIA/ri, ASCE ri chapter, SEA ri chapter. Mr. Sansoucy tried to incorporate the new non-profit organization. As a result, the Rhode Island Secretary of State’s office denied the application without prior approval by this Board, since the name of the corporation contained the word “architect” in the title. Mr. Sansoucy is now requesting that this

Board approve the name of the new non-profit organization in order to proceed with the Rhode Island Secretary of State's office.

After review, Secretary Ladds moved to continue and allow Attorney DeQuattro to research the issue set forth in Mr. Sansoucy's letter and to draft a response letter for Board approval. Member Yoder seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Secretary Christian J. Ladds, Member John K. Grosvenor and Member Wilbur E. Yoder. Vice-Chair Barbara Feibelman was absent from this vote.

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ADJOURNMENT

Chair Prengaman announced that the next meeting of the Board is scheduled for Monday, July 12, 2010, at 1:00 p.m. at the DBR, The John O. Pastore Center, 1511 Pontiac Avenue, Conference Room 68-1, Cranston, RI 02920. Secretary Ladds moved to adjourn the

meeting at 3:52 p.m. Member Yoder seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Secretary Christian J. Ladds, Member John K. Grosvenor and Member Wilbur E. Yoder. Vice-Chair Barbara Feibelman was absent from this vote.

Respectfully submitted,

**Christian J. Ladds, AIA
Secretary**

CJL/dmb

- **Posted on July 13, 2010 electronically on Secretary of State's Office website. Pursuant to the Open Meetings Law, R.I. Gen. Laws Sec. 42-46-6(b), business not included in this notice may be considered with the consent of the majority of the members, and/or may convene into Executive (closed) Session pursuant to R.I. Gen. Laws Sec. 42-46-5.**

C. O. A. APPLICATIONS

Board Meeting of JUNE 14, 2010

SOLE PROPRIETORSHIPS

ANDREW G. ELLIS, AIA, CSI - 0 - APPROVED – 06/14/10

LIMITED LIABILITY COMPANY

CBH ARCHITECT - 0 - APPROVED – 06/14/10

THE DESIGN INITIATIVE, INC. \$100. APPROVED – 06/14/10

**ECO ARCHITECTURE AND DESIGN - 0 - APPROVED – 06/14/10
GROUP LLC**

EDG ARCHITECTURE LLC - 0 - APPROVED – 06/14/10

CORPORATIONS

DLR GROUP INC. - 0 APPROVED – 06/14/10

A-14,411 – Change in Responsible Control

Adding: Aaron G. Persen

MSKTD & ASSOCIATES, INC. \$100. APPROVED – 06/14/10

NILES BOLTON ASSOCIATES, INC. - 0 – APPROVED – 06/14/10

A-14,288 – Change in Business Structure

Lay-off included two (2) stockholders:

Gregg W. Hudspeth and Tony C. Paladino

SALTONSTALL ARCHITECTS, INC. \$100. APPROVED – 06/14/10

WITHDRAWALS

HCP ARCHITECTS, LLP APPROVED – 06/14/10

06/14/10

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